

JACQUES RIVERA,)	
)	No. 12 C 4428
<i>Plaintiff,</i>)	
)	Hon. Joan B. Gottschall,
v.)	District Judge
)	
REYNALDO GUEVARA, <i>et al.</i> ,)	
)	
<i>Defendants.</i>)	
)	JURY TRIAL DEMANDED

SUPPLEMENT TO SECTION 2(b) (WITNESSES)
OF PROPOSED FINAL PRETRIAL ORDER

PLAINTIFF'S WITNESSES¹

WILL CALL

Jacques Rivera. Contact through counsel, Loevy & Loevy.

Defendants object to this witness as to certain topics of testimony. See Officer Motion in Limine No. 12, 13, and 15.

Reynaldo Guevara. Contact through counsel, Leinenweber & Daffada.

Defendants moves to bar/limit evidence of his 5th Amendment invocation. See Guevara Motion In Limine No. 1.

Orlando Lopez. 9212 Roedean Dr., Cleveland, OH 44129.

MAY CALL

Joseph Fallon. Contact through counsel, Sotos Law Firm.

Steve Gawrys. Contact through counsel, Sotos Law Firm.

John Guzman. Contact through counsel, Sotos Law Firm.

John Leonard*

Gillian McLaughlin. Contact through counsel, Sotos Law Firm.

Edward Mingey. Contact through counsel, Sotos Law Firm.

Daniel Noon. Contact through counsel, Sotos Law Firm.

Rocco Rinaldi. Contact through counsel, Sotos Law Firm.

Joseph Sparks. Contact through counsel, Sotos Law Firm.

Russell Weingart. Contact through counsel, Sotos Law Firm.

Paul Zacharias. Contact through counsel, Sotos Law Firm.

Mike Brasfield. Retained expert, contact through Loevy & Loevy.

Defendants object to this witness. See Officer Motion in Limine No. 2; City Motion In Limine No. 6.

Jennifer Dysart. Retained expert, contact through Loevy & Loevy.

Defendants object to this witness. See Officer Motion in Limine No. 3.

¹ Defendants' Objection: To the extent Plaintiff's Witness List violates L.R. 16.1, see City's Motion in *Limine* No. 8.

Gary Wells. Retained expert, contact through Loevy & Loevy.

Defendants object to this witness. See Officer Motion in Limine No. 1; City Motion In Limine No. 7.

Ken Wadas. Criminal Division of the Cook County Courthouse, Chicago, Illinois.

Defendants object to this witness as to certain topics of testimony. See Officer Motion in Limine No. 7.

John DeLeon. John DeLeon & Associates, 53 W Jackson Blvd #1428, Chicago, IL 60604

Defendants object to this witness because Mr. DeLeon was not disclosed pursuant to Fed. R. Civ. P. 26(a) and would cause undue prejudice to Defendants. FRE 403. See, Officer MIL No. 4.

Judy Royal. Contact through counsel, Loevy & Loevy

Jane Raley*

Cynthia Estes. Contact through counsel, Loevy & Loevy

Jennifer Linzer. Contact through counsel, Loevy & Loevy

Cathryn Crawford. Contact through counsel, Loevy & Loevy

Julie Rosner. Contact through Cook County State's Attorney's Office, Chicago, Illinois.

Larry Victorson. Contact through Cook County State's Attorney's Office, Chicago, Illinois.

Craig Letrich. Contact through counsel for City of Chicago.

John McDonald. Contact through counsel for City of Chicago.

James Moriarty. Contact through counsel for City of Chicago.

William Dorsch. 201 N. Salem Dr., Schaumburg, IL 60194.

Defendants object to testimony by this witness offered pursuant to Fed. R. Evid. 404(b). See Officer Motion in Limine No. 18.

Stephen Machain. Contact through counsel for City of Chicago.

Lori Amaro. 4919 Econ Circle, Apt. 271, Orlando, FL 32817.

Pastor Thomas Bryant. 631 Lincoln Street, Steelton, PA 17112.

Felipe Nieves. 605 N Reed St Joliet, IL 60435; 2615 Sherman St., Hollywood, FL 33020. Ida Osorio Serrano (aka Ada Osorio). 730 N. Throop, 1st Fl, Chicago, IL 60642.

Jose Rodriguez. 911 Peters St., Albert Lea, MN 56007; 1456 N Maplewood, 2nd Fl.

Defendants object to this witness. See, Officer Motion in Limine No. 4.

Guillermo Osorio. 1406 N. Harlem, River Forest, IL.
Fernando Rivas. Chicago Victory Church, 3445 North Ave., Chicago, IL 606047.

Darlene Perry. 3125 W. Fullerton, Apt. 306, Chicago, IL.

Defendants object to this witness as to certain topics of testimony. See Officer Motion in Limine No. 13.

Sofia Matarazzo. Contact through counsel, Loevy & Loevy.
Gwen Rivera*. Contact through counsel, Loevy & Loevy.
Jennifer Rivera. Contact through counsel, Loevy & Loevy.
Richard Rivera. Contact through counsel, Loevy & Loevy.

Juan Rivera. Contact through counsel, Loevy & Loevy.

Defendants object to this witness as to certain topics of testimony. See Officer Motion In Limine No. 5.

Arthur Sharkey, M.D.* The Orthopaedic Institute, 4500 Newberry Road, Gainesville, FL.

Defendants object to this witness because Dr. Sharkey's testimony is no longer relevant in light of the Court's MSJ ruling. See Officer Motion In Limine No. 9.

Carlos Olivero*. 3348 N. Neenah, Chicago, IL 60634.
George Ruiz*. 5340 S. Keeler, Chicago, IL 60632; 2558 Harding, Chicago, Illinois.
Angel Villafane*. 2718 N. Mango, Chicago, IL 60639.
James Spratte*. Contact through counsel for City of Chicago.
Karen Sullivan*. Contact through counsel for City of Chicago.
James Hickey. Contact through counsel for City of Chicago.

Elizabeth Ekl. Reiter Burns, 311 S. Wacker Dr., Chicago, IL 60606.

Defendants object to this witness because Ms. Ekl was not disclosed pursuant to Fed. R. Civ. P. 26(a) and would cause undue prejudice to Defendants. FRE 403. See Officer Motion In Limine No. 4.

Anthony Wronkowski. Contact through counsel for City of Chicago.

Jose Melendez*, FCI Lompoc, 3600 Guard Rd, Lompoc, CA 93436.

Defendants object to this witness pursuant to FRE 404(b). See Officers' Motion In Limine No. 18.

Sam Perez*. Sam Perez, 4106 N. Moody, Chicago, IL.

Defendants object to this witness pursuant to FRE 404(b). See Officers' Motion In Limine No. 18. See also Defendants' Motion for Sanction to Bar Sam Perez From Testifying for Failing to Comply with a Subpoena for His Deposition. Dkt. # 229.

Wilfred Rosario*. 2117 S. Ashland, First Floor, Chicago.

Defendants object to this witness pursuant to FRE 404(b). See Officers' Motion In Limine No. 18.

Robert Ruiz*. 5660 W Grand Ave, Chicago, IL 60639.

Defendants object to this witness pursuant to FRE 404(b). See Officers' Motion In Limine No. 18.

Sal Ortiz. 5455 W. Newport Ave., Chicago, IL 60641.

Defendants object to this witness pursuant to FRE 404(b). See Officers' Motion In Limine No. 18.

Evelyn Diaz, 4821 W. Wolfram, Chicago, IL 60641.

Defendants object to this witness pursuant to FRE 404(b). See Officers' Motion In Limine No. 18.

Demetrius Johnson. 4949 W. St. Paul Ave., FL 1, Chicago, Illinois.

Individual Defendants object to this witness, who was disclosed by Plaintiff in support of his Monell claim against the City, based on materiality, relevance (FRE 402), and prejudice (FRE 403). To the extent this witness's testimony is admitted against the City, it should be limited against the remaining Defendants pursuant to FRE 105. See City's Motion in Limine No. 5

Aby Gonzalez. 165 Main St, Bldg 18, Wernersville, PA 19565; 1314 N. Claremont, 2nd Fl., Chicago.

Individual Defendants object to this witness, who was disclosed by Plaintiff in support of his Monell claim against the City, based on materiality, relevance (FRE 402), and prejudice (FRE 403). To the extent this witness's testimony is admitted against the City, it should be limited against the remaining Defendants pursuant to FRE 105. See City's Motion in Limine No. 5

Crystal Marchigiani. Cook County Public Defender, 2650 S California, 8th Floor, Chicago, Illinois.

Individual Defendants object to this witness, who was disclosed by Plaintiff in support of his Monell claim against the City, based on materiality, relevance (FRE 402), and prejudice (FRE 403). To the extent this witness's testimony is admitted against the City, it should be limited against the remaining Defendants pursuant to FRE 105. See City's Motion in Limine No. 5

Curtis Kirkland. 4806 W. Congress Pkwy, Chicago, Illinois.

Individual Defendants object to this witness, who was disclosed by Plaintiff in support of his Monell claim against the City, based on materiality, relevance (FRE 402), and prejudice (FRE 403). To the extent this witness's testimony is admitted against the City, it should be limited against the remaining Defendants pursuant to FRE 105. See City's Motion in Limine No. 5

Judge Clarence Burch. Circuit Court of Cook County, 555 W. Harrison St., Rm. 303 Chicago, Illinois 60607.

Individual Defendants object to this witness, who was disclosed by Plaintiff in support of his Monell claim against the City, based on materiality, relevance (FRE 402), and prejudice (FRE 403). To the extent this witness's testimony is admitted against the City, it should be limited against the remaining Defendants pursuant to FRE 105. See City's Motion in Limine No. 5

Record Keepers: Chicago Police Department, Cook County Public Defender's Office, Cook County State's Attorney's Office, Stroger Hospital and Cook County Hospital, Medical Records of Dr. Arthur Sharkey, Northwestern University School of Law.

Plaintiff reserves the right to call any of the witnesses listed by Defendants City of Chicago or Defendants Fallon, Gawrys, Guevara, Guzman, Leonard, McLaughlin, Mingey, Noon, Rinaldi, Sparks, Weingart, or Zacharias.

** denotes witnesses who may also provide testimony by depositions*

DEFENDANTS' WITNESSES

MAY CALL

Jacques Rivera - Contact through counsel, Loevy & Loevy
Joseph Fallon – Contact through counsel, The Sotos Law Firm, P.C.
Steve Gawrys – Contact through counsel, The Sotos Law Firm, P.C.
Reynaldo Guevara – Contact through counsel, The Sotos Law Firm, P.C.
John Guzman – Contact through counsel, The Sotos Law Firm, P.C.
Jack Leonard*
Gillian McLaughlin – Contact through counsel, The Sotos Law Firm, P.C.
Ed Mingey – Contact through counsel, The Sotos Law Firm, P.C.
Daniel Noon – Contact through counsel, The Sotos Law Firm, P.C.
Rocco Rinaldi* – Contact through counsel, The Sotos Law Firm, P.C.
Joseph Sparks - Contact through counsel, The Sotos Law Firm, P.C.
Russell Weingart* – Contact through counsel, The Sotos Law Firm, P.C.
Paul Zacharias – Contact through counsel, The Sotos Law Firm, P.C.

John Boyle - Chicago, Illinois

Plaintiff objects to this witness because Defendants agreed during discovery to withdraw their reliance on this witness and not to call him at trial.

Cathryn Crawford
Bill Dorsch – Schaumburg, Illinois
Cynthia Estes – Contact through Loevy & Loevy
Jennifer Linzer – Contact through Loevy & Loevy
Orlando Lopez
Ramon Lopez – 2058 N. Kilpatrick Street, Chicago
Stephen Machain

Thomas McGreal (impeachment only) – Contact through Cook County State's Attorney's Office, Chicago, Illinois

Plaintiff objects to this witness because he was not disclosed pursuant to Federal Rule of Civil Procedure 26(a) and calling him would cause undue prejudice to Plaintiff.

Felipe Nieves* - Omaha, Nebraska

Plaintiff objects to this witness on certain subjects. See Plaintiff's motion *in limine* regarding Felipe Nieves.

Darren O'Brien – Contact through Cook County State's Attorney's Office, Chicago, Illinois
Jane Raley*

Julie Rosner – Contact through counsel, Cook County State’s Attorney’s Office, Chicago, Illinois

Judith Royal – Contact through counsel, Loevy & Loevy

George Ruiz – 2558 Harding, Chicago, Illinois

James Spratte – Contact through counsel, Rock Fusco & Connelly

Plaintiff objects to the extent this witness seeks to provide any opinion testimony under Rules 702, 703, or 705, since he was not disclosed under Fed. R. Civ. P. 26(a)(2).

Larry Victorson – Contact through Cook County State’s Attorney’s Office, Chicago, Illinois

Ken Wadas – Criminal Division of the Cook County Courthouse, Chicago, Illinois.

The following witnesses relate solely to Plaintiff’s *Monell* claims, and are subject to the Defendants’ Motion to Bifurcate Trial.

James Hickey - Contact through counsel, Rock, Fusco & Connelly, LLC

Plaintiff objects to the extent this witness seeks to provide any opinion testimony under Rules 702, 703, or 705, since he was not disclosed under Fed. R. Civ. P. 26(a)(2).

Cmdr. Robert Klimas – Contact through counsel, Rock, Fusco & Connelly, LLC

Plaintiff objects to the extent this witness seeks to provide any opinion testimony under Rules 702, 703, or 705, since he was not disclosed under Fed. R. Civ. P. 26(a)(2).

Lt. Karen Sullivan - Contact through counsel, Rock, Fusco & Connelly, LLC

Plaintiff objects to the extent this witness seeks to provide any opinion testimony under Rules 702, 703, or 705, since he was not disclosed under Fed. R. Civ. P. 26(a)(2).

EXPERTS

John Mallul

Judge John Wasilewski

Dr. John Wixted

The following witnesses relate solely to Plaintiff’s *Monell* claims, and are subject to the Defendants’ Motion to Bifurcate Trial.

Jeffrey Noble

Plaintiff objects to this witness. See Plaintiff’s motion *in limine* regarding Jeffrey Noble.

Bernard Murray

Plaintiff objects to this witness. See Plaintiff's motion *in limine* regarding Jeffrey Noble.

Defendants have sought to bar evidence pursuant to Fed. R. Evid. 404(b). See Officer's Motion in Limine No. 18. If Defendants motion is denied in whole or in part, Defendants may also call the following witnesses:

Plaintiff's general objection to Defendants' 404(b) list: Plaintiff objects to these witnesses based on relevance, as cumulative, and as unfairly prejudicial. Plaintiff was ordered to limit himself to ten 404(b) witnesses and did so. Defendants did not do so and instead improperly seek to call multiple 404(b) witnesses in rebuttal to each 404(b) witness called by Plaintiff.

Alberto Rodriguez (other vic/wit), FCI Forrest City Fed. Penitentiary, 1400 Dale Bumpers Rd., Forrest City, AR. 72335.

Plaintiff objects because this witness is one of three witnesses disclosed in response to Plaintiff's witness Jose Melendez, and the testimony is therefore cumulative of other witnesses. See also Plaintiff's general objection, above.

ASA William Farrel, Cook County State's Attorney Office, Chicago, IL

Plaintiff objects because this witness is one of three witnesses disclosed in response to Plaintiff's witness Jose Melendez, and the testimony is therefore cumulative of other witnesses. See also Plaintiff's general objection, above.

Det. John McMurray, available upon request of counsel

Plaintiff objects because this witness is one of three witnesses disclosed in response to Plaintiff's witness Jose Melendez, and the testimony is therefore cumulative of other witnesses. See also Plaintiff's general objection, above.

Juan Michael Delgado, 10301 Delmar Cir., Tampa, FL.

Plaintiff objects because this witness is one of six witnesses disclosed in response to Plaintiff's witness Sal Ortiz, and the testimony is therefore cumulative of other witnesses. See also Plaintiff's general objection, above.

Guillermo Vasquez, 1732 Pratt Blvd. , Chicago, IL 773-381-1536.

Plaintiff objects because this witness is one of six witnesses disclosed in response to Plaintiff's witness Sal Ortiz, and the testimony is therefore cumulative of other witnesses. See also Plaintiff's general objection, above.

Edwin Gomez, 4619 W. Schubert, Chicago, IL.

Plaintiff objects because this witness is one of six witnesses disclosed in response to Plaintiff's witness Sal Ortiz, and the testimony is therefore cumulative of other witnesses. See also Plaintiff's general objection, above.

Det. William O'Donnell, available upon request of counsel

Plaintiff objects because this witness is one of six witnesses disclosed in response to Plaintiff's witness Sal Ortiz, and the testimony is therefore cumulative of other witnesses. See also Plaintiff's general objection, above.

James Bailey, 312-603-6932

Plaintiff objects because this witness is one of six witnesses disclosed in response to Plaintiff's witness Sal Ortiz, and the testimony is therefore cumulative of other witnesses. See also Plaintiff's general objection, above.

Eileen Rubin, Cook County State's Attorney Office, Chicago, IL

Plaintiff objects because this witness is one of six witnesses disclosed in response to Plaintiff's witness Sal Ortiz, and the testimony is therefore cumulative of other witnesses. See also Plaintiff's general objection, above.

Maria Rodriguez, 3317 N. Keeler, Apt. #2, Chicago, IL.

Plaintiff objects because this witness is one of two witnesses disclosed in response to Plaintiff's witness Wilfred Rosario, and the testimony is therefore cumulative of other witnesses. See also Plaintiff's general objection, above.

Det. John McKenna, available upon request of counsel

Plaintiff objects because this witness is one of two witnesses disclosed in response to Plaintiff's witness Wilfred Rosario, and the testimony is therefore cumulative of other witnesses. See also Plaintiff's general objection, above.

Ofc. Kenneth Moore, available upon request of counsel

Plaintiff objects because this witness was disclosed solely to rebut Plaintiff's 404(b) witness Julio Sanchez, who Plaintiff has withdrawn.

Jose Reyes, 10310 Zachary Cir. 51, Riverview, FL. 33578.

Plaintiff objects because this witness is one of three witnesses disclosed in response to Plaintiff's witness Robert Ruiz, and the testimony is therefore cumulative of other witnesses. See also Plaintiff's general objection, above.

Sean Gallagher, Cook County State's Attorney Office, Chicago, IL

Plaintiff objects because this witness is one of three witnesses disclosed in response to Plaintiff's witness Robert Ruiz, and the testimony is therefore cumulative of other witnesses. See also Plaintiff's general objection, above.

Chiao Lee, Cook County State's Attorney Office, Chicago, IL

Plaintiff objects because this witness is one of three witnesses disclosed in response to Plaintiff's witness Robert Ruiz, and the testimony is therefore cumulative of other witnesses. See also Plaintiff's general objection, above.

Individual Defendants also reserve the right to call any of the witnesses listed by Plaintiff or Defendant City.

Defendant City reserves the right to call any of the witnesses listed by Plaintiff or Individual Defendants.

** denotes witnesses who may also provide testimony by depositions*

Respectfully Submitted,

/s/Jon Loevy
Counsel for Plaintiff

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/s/ Jeffrey Given
*Counsel for Defendants
Gawrys, Noon, Fallon,
Sparks, Zacharias, Guzman,
McLaughlin, Mingey,
Weingart, Rinaldi; and the
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CERTIFICATE OF SERVICE

I, Jon Loevy, an attorney, certify that on May 25, 2018, I filed the foregoing Supplement using the Court's CM/ECF system, which effected service on all counsel of record.

/s/ Jon Loevy
One of Plaintiff's Attorneys